

AN ACT concerning finance.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Procurement of Domestic Products Act is amended by changing Sections 5, 10, 15, 25, and 30 as follows:

(30 ILCS 517/5)

Sec. 5. Definitions. As used in this Act:

"Manufactured in the United States" means, in the case of assembled articles, materials, or supplies, that design, final assembly, processing, packaging, testing, or other process that adds value, quality, or reliability occurs in the United States.

"Procured products" means assembled articles, materials, or supplies purchased by a State agency.

"Purchasing agency" means a State agency.

"State agency" means each agency, department authority, board, commission of the executive branch of State government, including each university, whether created by statute or by executive order of the Governor.

"United States" means the United States and any place subject to the jurisdiction of the United States.

(Source: P.A. 93-954, eff. 1-1-05.)

(30 ILCS 517/10)

Sec. 10. United States products. Each purchasing agency making purchases of procured products ~~manufactured articles, materials, and supplies~~ shall promote the purchase of and give preference to manufactured articles, materials, and supplies that have been manufactured in the United States. Procured products ~~Manufactured articles, materials, and supplies~~ manufactured in the United States shall be specified and purchased unless the purchasing agency determines that any of

the following applies:

(1) The procured products ~~manufactured articles, materials, and supplies~~ are not manufactured in the United States in reasonably available quantities.

(2) The price of the procured products ~~manufactured articles, materials, and supplies~~ manufactured in the United States exceeds by an unreasonable amount the price of available and comparable procured products ~~manufactured articles, materials, and supplies~~ manufactured outside the United States.

(3) The quality of the procured products ~~manufactured articles, materials, and supplies~~ manufactured in the United States is substantially less than the quality of the comparably priced, available, and comparable procured products ~~manufactured articles, materials, and supplies~~ manufactured outside the United States.

(4) The purchase of the procured products ~~manufactured articles, materials, and supplies~~ manufactured outside in the United States better serves ~~is not in~~ the public interest by helping to protect or save life, property, or the environment.

(5) The purchase of the procured products ~~manufactured articles, materials, or supplies~~ is made in conjunction with contracts or offerings of telecommunications, fire suppression, security systems, communications services, ~~or~~ Internet services, or information services.

(6) The purchase is of pharmaceutical products, drugs, biologics, vaccines, medical devices used to provide medical and health care or treat disease or used in medical or research diagnostic tests, and medical nutritionals regulated by the Food and Drug Administration under the federal Food, Drug and Cosmetic Act.

In determining the price of procured products ~~manufactured articles, materials, and supplies~~ for purposes of this Section, consideration shall be given to the life-cycle cost, including maintenance and repair of those procured products ~~manufactured~~

~~articles, materials, and supplies.~~

(Source: P.A. 93-954, eff. 1-1-05.)

(30 ILCS 517/15)

Sec. 15. Contracts; prequalification.

(a) Each contract awarded by a purchasing agency on or after the effective date of this Act through the use of the preference required under Section 10 shall contain the contractor's certification that procured products ~~manufactured articles, materials, and supplies~~ provided pursuant to the contract or a subcontract shall be manufactured in the United States.

(b) Chief procurement officers, as provided in Section 20-45 of the Illinois Procurement Code, and the Capital Development Board, as provided in Section 30-20 of the Illinois Procurement Code, must promulgate rules for prequalification of suppliers and contractors under this Section.

(Source: P.A. 93-954, eff. 1-1-05.)

(30 ILCS 517/25)

Sec. 25. Penalties. If a contractor is awarded a contract through the use of a preference under this Act and knowingly supplies procured products ~~manufactured articles, materials, or supplies~~ under that contract that are not manufactured in the United States, then (i) the contractor is barred from obtaining any State contract for a period of 5 years after the violation is discovered by the purchasing agency, (ii) the purchasing agency may void the contract, and (iii) the purchasing agency may recover damages in a civil action in an amount 3 times the value of the preference.

(Source: P.A. 93-954, eff. 1-1-05.)

(30 ILCS 517/30)

Sec. 30. Capital Development Board; exemption. The Capital Development Board (CDB) is exempt from the requirements of this Act with respect to a specific project if (i) CDB determines

that the project is too complex for the 5 major construction building trades to identify the numerous individual procured products ~~articles, materials, and supplies~~ required for the project or (ii) CDB determines that procured products ~~the articles, materials, and supplies~~ required for the project are too numerous or complex to be able to efficiently assess the sites where manufactured.

(Source: P.A. 93-954, eff. 1-1-05.)